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DATE OF MAILING: December 8, 2022
SENT VIA FIRST CLASS MAIL AND EMAIL
NOTICE OF DECISION

Kevin A. Palmer, Esquire
Butera, Beausang, Cohen and Brennan
630 Freedom Business Center
King of Prussia, PA 19406
KWash@buteralaw.com

**Re: Upper Merion Township Zoning Hearing Board
Application No. 2022-20
Applicant: Covenant Presbyterian Church
Properties: 285 West Valley Forge Road
Parcel Nos. 58-00-19687-00-1**

Dear Kevin:

This letter provides notice of the decision of the Upper Merion Township Zoning Hearing Board following the conclusion of the hearing on Wednesday, November 16, 2022.

The Zoning Hearing Board voted to grant a special exception from section 165-22 of the Upper Merion Township Zoning Ordinance of 1942, as Amended, to allow a 30 ft. by 30 ft. cemetery on the subject property.

This approval is conditioned upon the following:

1. cemetery improvements to the property shall conform to the testimony and exhibits presented at the hearing and set forth in the application, including, but not limited to hearing exhibit A-1 the plan entitled "Burial Area Site Plan," prepared by Wilkinson & Associates, Inc., dated September 29, 2022, which accompanies this letter;
2. a deed restriction, drafted to the satisfaction of the ZHB solicitor, shall be recorded at the expense of the applicant with the Montgomery County Recorder of Deeds against the property, including a plan delineating the location of the cemetery, prohibiting construction over the area designated as a cemetery, and requiring the maintenance of the vegetative buffer surrounding the cemetery;
3. there shall be no lighting associated with the cemetery use;

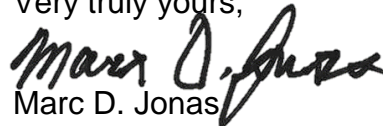
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4. there shall be no separate parking area associated with the cemetery use;
5. there shall be no signage related to the cemetery use;
6. the property owner shall maintain a vegetative buffer around the cemetery;
7. there shall be no more than 6 burial plots;
8. there shall be no sales of burial plots;
9. notice shall be given to the Township when any person is buried within the cemetery; and
10. the applicant shall comply with all applicable Township, county, state, and federal rules, regulations, and requirements related to cemeteries/burial grounds.

Since this application was not contested, the Zoning Hearing Board will not issue a written decision with findings of fact, conclusions of law, and reasons

The applicant is directed to section 165-257 "Expiration of Special Exceptions or Variances" and applicable statutory provisions governing the expiration of special exceptions.

Very truly yours,


Marc D. Jonas

Enclosure:

- plan entitled, plan entitled "Burial Area Site Plan," prepared by Wilkinson & Associates, Inc., dated September 29, 2022

cc: Mark Zadroga, Director; Chief Building/Zoning Official
Gregory W. Philips, Esq., Upper Merion Township Supervisor
John F. Walko, Esq., Township Solicitor

